

# EXHIBIT

## "4"



## FRANKLIN COUNTY JAIL

Chambersburg, PA

### Standard Operating Procedure

<b>Chapter:</b>	400	Activities and Support Services	<b>Number:</b>	400.13	<b>Pages:</b>	6
<b>Title:</b>	13	Religious Programming and Activities	<b>Effective Date:</b>			

### POLICY

Religious services and programs that satisfy the beliefs of the major faith groups will be made available to inmates. A qualified and trained Chaplain(s) will coordinate these services. This will be done in a manner consistent with maintaining a safe and secure facility. All recognized religions will be assured equal status and protection. Religious services and counseling are voluntary, and will be conducted in such a manner that inmates are not exposed to them against their wishes.

### PURPOSE

To establish and describe religious programs available to inmates, and the responsibilities of the facility Chaplain(s).

### REFERENCES

ACA 4-ALDF-5C-17 through 5C-24  
 ACA 4-ALDF-5A-01  
 ACA 4-ALDF-6B-02  
 ACA 4-ALDF-2A-66  
 ACA 4-ALDF-4A-10  
 PA Title 37, 95.237

### DEFINITIONS

Recognized Religion: A system of faith and worship recognized by a particular church, sect, or denomination and whose members share certain theological, philosophical, or spiritual views. A recognized religion does not include a system of beliefs that are clearly detrimental to the peace, good order, and morals of society.

### PROCEDURES

1. Religious programs and activities at the Franklin County Jail (FCJ) will occur under the supervision of the Deputy Warden of Inmate Services. The facility Chaplain(s) will report directly to the Deputy Warden of Inmate Services.

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2. Under no circumstance will inmates be required to engage or participate in any religious activities. An inmate's failure to participate will not influence decisions made concerning that inmate.
3. Staff members or volunteers from any religious group will not restrict inmates' participation in any religious activities on the basis of race, creed, color, nationality, gender or disability.
4. Qualifications of the facility Chaplain(s) will be established by the Warden. The Chaplain(s) will assure equal status and protection for all recognized religions.
5. Correctional staff may monitor any program.
6. Religious Preference
  - 6.1 Inmates will be asked to specify their religious preference as part of the Intake Screening. This information will be incorporated in to the inmate's file.
  - 6.2 Inmates may change their religious affiliation during their incarceration at FCJ, by submitting an Inmate Request Slip (FCJ Form 300.19-1) to the Chaplain(s). Requests to change religious affiliation will be reviewed by the Chaplain(s), and then forwarded to the Deputy Warden of Inmate Services with any comments.
  - 6.3 Attempts to disparage inmate's religious beliefs or to harass inmates to change religious affiliation are strictly prohibited.
7. Inmates observing special religious dietary laws will be provided a diet, which meets the recommended daily allowance, as stated by the National Academy of Science, and which complies with the religious dietary laws. The provision of such a diet must be consistent with the secure and orderly operation of the facility.
  - 7.1 No pork items are included on the regular inmate menu. Therefore no special diet is required for an inmate whose religion prohibits the consumption of pork.
  - 7.2 Inmates must request other special religious diets (other than non-pork diets) in writing to the Deputy Warden of Inmate Services. The request will be validated with community members of that religion. If validated the appropriate information will be forwarded to the Food Service Manager. Inmates may at their request be placed on a Vegan diet prior to the validation occurring.
  - 7.3 Staff observing inmates violating their religious special diet will document on an Incident Report, FCJ Form 100.23-1. The Deputy Warden of Inmate Services will make the determination if the special diet is revoked.

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8. Program Schedules and Lists

- 8.1 The Chaplain(s), subject to the review and approval of the Deputy Warden of Inmate Services, is responsible for developing a schedule of religious activities. Every effort will be made to provide religious activities for all recognized religions that are represented in the inmate population, if inmates show an interest in these activities.
- 8.2 The Program Schedule will include the date, time, location, name of program, and the name(s) of the volunteer(s) who will be conducting the program (FCJ SOP 400.14 – Volunteer Services).
- 8.3 The Chaplain(s) is responsible for disseminating the approved program schedules and lists to the Deputy Warden of Inmate Services, shift supervisors, Lobby Officer, Control Center and posting schedules in all units.

9. Available programs include but are not limited to:

- Worship services
- Religious study groups / Bible Study
- One-on-one religious counseling
- Special events
- Religious reading material

10. Worship services will be held at least weekly. One housing unit may attend a service in the chapel at a time. Housing units will rotate attending the chapel service, with the exception of E Unit (Special Housing), and B Unit. Housing units not attending the service in the chapel will be able to view the service via closed circuit TV/Video. Inmates may attend no more than one formal service a week in the chapel.

11. Chaplain Duties and Responsibilities

- 11.1 The Chaplain(s) is responsible for monitoring scheduled programs and activities for content and suitability.
- 11.2 The Chaplain(s) will provide individual counseling when requested by inmates. Inmates will submit an Inmate Request Slip to request to see the Chaplain(s).
  - 11.2.1 The Chaplain (s) will provide service to every inmate regardless of the inmate's religious beliefs or affiliation.
  - 11.2.2 The Chaplain(s) is responsible for keeping pastoral confidences and for ensuring the safety and security of the facility. If information is received, and these two responsibilities conflict, the safety and security of the facility will take priority. Examples of information that must be reported to the Deputy Warden of Inmate Services include but are not limited to:

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- Threats of suicide or self-harm
- Threats of escape
- Threats to assault a staff member or another inmate

In the event a situation may require immediate action or attention the Chaplain(s) will immediately notify any correctional staff member.

11.2.3 The Chaplain(s) will give only advice or assistance on religious matters. If inmates request advice or assistance on something that is not religious in nature, the Chaplain must explain to the inmate that the request does not fall under his assigned duties and direct him to the proper Administrator.

11.2.4 The Chaplain(s) will develop and maintain close relationships with religious resources in the community.

11.2.5 The Chaplain(s) will be available to inmates regarding religious matters and be responsive to their written requests.

11.3 The Chaplain(s) will not give inmates telephone calls. Inmates must submit an Inmate Request Form to the Deputy Warden of Inmate Services for approval for a free telephone call.

11.4 The Chaplain(s) will have access to all inmate housing areas during specified programming times. The Chaplain(s) will make regularly scheduled rounds through all Housing Units to include close custody housing units. This will be done at a minimum of once per week. These visits will not interfere with the Housing Unit Officer or the operation of the Unit. The Chaplain(s) will seek approval from the Housing Unit Officer prior to entering the Unit to ensure that that the visit will not be interfering with unit operations.

11.5 The Chaplain(s) is **not** responsible for notifying inmates of a family member's death, illness or other emergency. (FCJ SOP 400.09 – Crisis Contacts).

12. Attending Religious Programs

12.1 Religious programs may be limited in size by the space available. Inmates will attend on a first come first served basis.

12.2 Inmates on General Population status who receive a Unit Action or an Informal Resolution resulting in cell or bunk confinement, will be permitted to attend or view **ONLY** one weekly worship service. Attendance will not be permitted to any other religious programs (i.e. religious study groups, special events), however visits from the facility Chaplain(s), or a Visiting Clergy is permitted.

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- 12.3 Inmates on any segregation status will not attend any religious services. However, the Chaplain(s) or a representative of their religious group may visit them. The representative must apply for and be approved as a Visiting Clergy.
- 12.4 In the event a program is not held on a Housing Unit and more than one housing unit will be attending, shift supervisors are responsible for ensuring that segregation and Keep Separate statuses are maintained.
- 12.5 Other inmates may be restricted from participating in religious programs and activities only with the approval of the Warden or designee. The reason for the restriction will be provided to the inmate in writing and a copy placed in the inmate's file.
- 13. Subject to the Warden's approval, religious groups may request to have special services to observe a significant occasion associated with their religion.
- 14. Religious Literature
  - 14.1 Inmates may request religious literature from the Chaplain(s) by submitting an Inmate Request Slip.
  - 14.2 The Chaplain(s) will check for the availability of the requested material in the material he has available.
  - 14.3 If the material must be returned to the Chaplain(s), the Chaplain(s) will maintain a list of material out on loan. If material is not returned by the specified date, the Chaplain(s) will notify the shift supervisor who will notify the Housing Unit Officer to ensure the return of the material. If the material is not returned the inmate will be charged.
- 15. Visiting Clergy
  - 15.1 The Deputy Warden of Inmate Services will review and approve or disapprove all Visiting Clergy Applications (FCJ Form 400.13-1).
  - 15.2 The Deputy Warden of Inmate Services or volunteer coordinator will ensure all Visiting Clergy are briefed prior to access to the facility being granted.
  - 15.3 The Visiting Clergy Agreement (FCJ Form 400.13-2) will be read, agreed to and signed. Visiting Clergy will remain on the Visiting Clergy List for one (1) year, unless a request to remain on the list is made to the Deputy Warden of Inmate Services.
  - 15.4 Visiting Clergy may visit during Professional Visitation hours. Requests to visit at any other time must be approved by the Deputy Warden of Inmate Services. Written approval with the date, time, and length of the special visit will be forwarded to the Lobby Officer.

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- 15.5 Inmates may leave scheduled programs but must understand that there may be consequences.
  - 15.6 Visiting Clergy will conduct visits in the Visiting Room only if there are no visitors waiting to be accommodated.
  - 15.7 All rules that apply to visitors will apply to Visiting Clergy. (FCJ SOP 400.01 - Personal Visitation and FCJ SOP 400.02 – Professional Visitation).
16. Wearing and the Use of Personal Religious Items
- 16.1 Inmates are permitted to wear and have in their possession personal religious items. These items may include but are not limited to:
    - Religious medallion on a plastic chain
    - Kufi
    - Prayer rug
    - Prayer beads
  - 16.2 The items must coincide with the religious preference of the inmate as listed in the Offender Management System (OMS).
  - 16.3 If the items are not in the inmate's possession when committed to the facility, the inmate must submit an Inmate Request Slip to the Deputy Warden of Inmate Services, listing requested items.
  - 16.4 The Deputy Warden of Inmate Services will determine if the request is legitimate. If the request is legitimate, it is then determined if possession of item(s) will compromise the safety and security of the facility.
  - 16.5 The Inmate will be notified of the approval or disapproval of the request with the return of the Inmate Request Slip via inter jail mail.

**ATTACHMENTS**

FCJ Form 400.13-1 Visiting Clergy Application  
FCJ Form 400.13-2 Visiting Clergy Agreement